



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

☒ Permanent Rule  
☐ Emergency Rule

**Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing.  
☒ Other (specify) 1/01/2005 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- ☐ Immediately upon filing.  
☐ Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:** This rulemaking is part of our four-year plan to rewrite for clarity all of our general occupational safety and health rules. Machine guarding requirements located in chapters 296-24, 78, and 302 WAC were reviewed to identify unnecessary design requirements, outdated terminology, incorporate necessary policies and requirements, rewriting and reorganizing for clarity and consolidate into one rule, chapter 296-806 WAC. Also, several references were updated as a result of this being a new chapter. See attachment (1).

**Citation of existing rules affected by this order:**

Repealed: See attachment (2).  
Amended: See attachment (2).  
Suspended: None

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060

**Other authority :** None.

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 04-03-085 on January 20, 2004.

Describe any changes other than editing from proposed to adopted version: See attachment 3.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** June 29, 2004

**NAME (TYPE OR PRINT)**  
Paul Trause

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**04-14-028**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>279</u>	Amended	<u>27</u>	Repealed	<u>130</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>279</u>	Amended	<u>27</u>	Repealed	<u>130</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	<u>279</u>	Amended	<u>27</u>	Repealed	<u>130</u>

**(1) Purpose:**

The following are repealed sections and requirements were moved to chapter 296-806 WAC:

**Chapter 296-24 WAC General Safety and Health Standards**

**Chapter 296-24 WAC, Part C, Machinery and Machine Guarding**

- Repealed this part.

**WAC 296-24-150, Machinery and machine guarding – General requirements for all machines – Scope and application.**

- The scope and application relating to machine safety has been moved to WAC 296-806-100.
- Repealed this section.

**WAC 296-24-15001, Machine guarding.**

- Requirements relating to general types of machine guarding have been moved to WACs 296-806-20028, 296-806-20030, 296-806-20032, 296-806-20036, 296-806-20042.
- Requirements relating to circular meat cutting saws have been moved to WAC 296-806-42560.
- Requirements relating to special hand tools have been moved to WAC 296-806-20018.
- Requirements relating to the point of operation guarding on guillotine cutters, shears, power presses, milling machines, power saws, jointers and forming rolls and calenders have been moved to WAC 296-806-20028.
- Requirements relating to the point of operation guarding on portable power tools have been moved to Chapter 296-807 WAC.
- Requirements relating to guarding barrels, containers and drums have been moved to WAC 296-806-30028.
- Requirements relating to exposure of blades have been moved to WAC 296-806-30016.
- Requirements relating to cams have been moved to WAC 296-806-30012.
- Requirements relating to guarding garbage disposals have been moved to WAC 296-806-43502.
- Repealed this section.

**WAC 296-24-15003, Anchoring fixed machinery.**

- Requirements relating to anchoring fixed machinery have been moved to WAC 296-806-20002.
- Repealed this section.

**WAC 296-24-15005, Means to prevent slipping.**

- Requirements relating to slipping hazards around machinery have been moved to WAC 296-806-20004.
- Repealed this section.

**(2) Citation of existing rules affected by this order:**

**AMENDED SECTIONS:**

- WAC 296-24-69003, Spot and seam welding machines (nonportable).
- WAC 296-24-88020, Powered platform installations – Equipment.
- WAC 296-24-90003, General requirements.
- WAC 296-54-573, Logging machines – General.
- WAC 296-59-130, Ski lift machinery guarding.
- WAC 296-78-56511, Head rigs and feed works.
- WAC 296-78-590, Gang saws and re-saws.
- WAC 296-78-605, Swing saws.
- WAC 296-78-615, Saw filing and grinding rooms and equipment.
- WAC 296-78-650, Boring and mortising machines.
- WAC 296-78-660, Lathe (pail and barrel).
- WAC 296-78-665, Sanding machines.
- WAC 296-78-690, Veneer slicer and cutter.
- WAC 296-78-70503, Shake and shingle machinery – General.
- WAC 296-78-71007, Footwalks and passageways.
- WAC 296-78-71017, Dry kilns.
- WAC 296-78-71505, Mechanical power transmission apparatus.
- WAC 296-79-030, Guards and guarding.
- WAC 296-115-050, General Requirements.
- WAC 296-155-487, Manually propelled elevating work platforms.
- WAC 296-155-488, Self propelled elevating work platforms.
- WAC 296-155-525, Cranes and derricks.
- WAC 296-155-682, Requirements for equipment and tools.
- WAC 296-301-020, General safety requirements.
- WAC 296-301-170, Clothing folding machine.
- WAC 296-303-030, Moving parts.
- WAC 296-305-06519, Fire station equipment and tools.

**REPEALED CHAPTER:**

- Chapter 296-302 WAC, Safety Standards for Bakery Equipment

**REPEALED PART:**

- Chapter 296-24 WAC, Part C.

### **(3) Describe any changes other than editing from proposed to adopted version:**

#### **CHANGES TO THE RULES (Proposed rule versus rule actually adopted):**

##### **Chapter 296-806 WAC, Machine Safety**

##### **WAC 296-806-100, Scope.**

- Moved the majority of the language in this section to a section in this chapter called, “How to use this book.”
- The scope now reads:  
“Machines and their moving parts create the potential for workplace injuries. Installed and used properly, safeguards can protect workers by helping to reduce or control machine hazards.  
This chapter applies if you have machines or machine operations in your workplace. For requirements on handheld tools go to Portable Power Tools, chapter 296-807 WAC.”

##### **WAC 296-806-200, Summary.**

- Clarified the language in this section. The first paragraph now reads:  
“This section applies to all machines in your workplace. It is organized into the following four categories:
  - General requirements
  - Safeguarding requirements
  - Safeguarding methods
  - Requirements for specific machine hazards.”
- Clarified the language in the reference, it now reads:  
“In addition to the requirements in this section, you need to refer to the following sections of this chapter in order to determine if additional requirements are listed for machines or operations in your workplace:
  - Additional requirements for some machines and machine operations, WAC 296-807 WAC.”
- Clarified the language in the second reference, it now reads:  
“For requirements that apply to handheld tools, see Portable power tools, chapter 296-807 WAC.”
- Incorporated the titles of the sections in the 300 summary to this section.

##### **WAC 296-806-20006, Arrange work areas to avoid creating hazards.**

- Clarified the language in the reference, it now reads:  
“For requirements that apply to Aisles and passageways, see WAC 296-24-73505.”

##### **WAC 296-806-20010, Protect employees from unintentional machine operation.**

- Added a note for clarity, it reads:  
“Operating controls can be protected from unintentional movement by methods such as covers on foot treadles and collars around machinery start buttons.”

##### **WAC 296-806-20010, Make sure emergency stop controls meet these requirements.**

- Deleted the words “and other hazardous work areas” from the second sub-bullet.

##### **WAC 296-806-20020, Protect employees who are adjusting or repairing machinery.**